REMARKS

In the ***non-final*** Office Action mailed April 30, 2010 the Office noted that claims 15-31 were pending and rejected claims 15-22 and 27-31 and objected to claims 23-26. In this amendment no claim has been amended; no claims have been canceled; claim 32 is new, and, thus, in view of the foregoing claims 15-32 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

ALLOWABLE SUBJECT MATTER

The Office has indicated that claims 23-26 would be in a condition for allowance if re-written to include the features of the independent claims and any intervening claims as well as overcoming the indefiniteness rejection. The Applicant thanks the Office for the consideration given the claims and submits that the claims are allowable for the reasons discussed below.

REJECTIONS under 35 U.S.C. § 103

Claims 15-21, 27 and 31 stand rejected under 35 U.S.C. § 103(a) as being obvious over Liam, WO 01/33503 in view of Tanaka, U.S. Patent No. 5,798,793 in view of Bague, U.S. Patent No. 6,246,933. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Liam discusses detecting a traffic incident of a

vehicle via a sequence of video images.

Bague discusses an on-board vehicle accident analysis system that records vehicle parameters and video images taken by cameras within the vehicle.

Tanaka discusses detecting a change in panning of a camera.

On pages 3 and 4 the Office acknowledges that Liam fails to teach "a video camera controllable in one of azimuth, elevation and field of view … having said programmable processing member determine that said video camera is substantially stationary in relation to said scene," as in claim 17, but asserts that Tanaka, Figs. 1 and 2; col. 1, lines 11-14; col. 2, lines 1-80; col. 3, lines 10-33; and col. 4, lines 39-45 does.

However, Tanaka discusses a process for detecting a change in panning of a camera. For doing so, the process of Tanaka analyses changes in contrast or luminosity of the camera (see column 5, lines 6-19). Tanaka does not disclose in any manner detecting stationarity of a camera by comparing points in a scene with their image in a plane of the camera.

Further, Tanaka does not detect the panning for the purposes of ending processing of images by a processor for detecting a roadside incident, but does so to stop the drive of the focusing lens. (See Tanaka col. 2, lines 33-36) In the instant claims images are used to determine when the camera is stationary or not. If focusing as in Tanaka is stopped, how could

the images be processed in the present invention? As such, Applicants respectfully submit that Tanaka teaches away from combination to achieve the features of the claimed invention.

Therefore, for at least the reasons discussed above, Liam, Tanaka and Bague, taken separately or in combination, fail to render obvious the features of claim 17 and 31 and the claims dependent therefrom.

Claims 22 and 28-30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Liam in view of Tanaka in view of Bague further in view of Michalopoulos, U.S. Patent No. 4,847,772.

Michalopoulos discusses a traffic analysis system in which pixels selected and marked for further processing by an operator.

Michalopoulos adds nothing to the deficiencies of Liam and Bague as applied against claim 17 as discussed above. Therefore, Liam, Bague and Michalopoulos, taken separately or in combination, fail to render obvious the features of claims.

Withdrawal of the rejections is respectfully requested.

NEW CLAIM

Claim 32 is new. Support for the new claim may be found, for example, through out the Specification and claims 17 and 31. The Applicants submit that no new matter is believed to have been added by the addition of claim 32.

The instant invention is to a system that stops or starts the processing of images to determine a roadside accident/incident. The prior art focuses solely on the determination of the incident and therefore fails to disclose the programmed processor detecting the roadside incident ends processing upon determination that the camera is moving relative to a scene, the determination of camera movement based upon changing points in a current live image relative to a set of stored images, the programmed processor detecting the roadside incident begins processing upon determination that the camera is stationary relative to the scene, the determination of camera movement based upon points remaining fixed in the current live image relative to the set of stored images

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 15-32 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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